

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JARRYD ALYAS CISNEROS,

Plaintiff,

v.

UNKNOWN MIRELES, et al.,

Defendants.

Case No. 1:22-cv-312

HON. JANE M. BECKERING

_____/

ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendant Olson filed a Motion for Summary Judgment (ECF No. 29). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on August 8, 2024 (ECF No. 31), recommending that this Court grant the motion for summary judgment, dismiss without prejudice Plaintiff's claims against the Doe Defendants for failure to timely effect service, and terminate this action. The Magistrate Judge also recommended that an appeal of this matter by Plaintiff would not be in good faith. The Report and Recommendation was duly served on the remaining parties that have appeared to date.¹ No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 31) is APPROVED and ADOPTED as the Opinion of the Court.

¹ Service of the Report and Recommendation on Plaintiff was returned, marked "return to sender," "not delivered as addressed," "unable to forward," and "paroled/discharged" (ECF No. 32). Plaintiff has failed to keep the Court apprised of his current address.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 29) is GRANTED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections to the Report and Recommendation. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: September 6, 2024

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge